

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

ROBERT WHARTON,

Petitioner,

v.

DONALD T. VAUGHN,

Respondent.

Civil Action

No. 01-cv-6049

ORDER

AND NOW, this 26th day of May, 2022, it is hereby **ORDERED** that:

1. Pursuant to the District Attorney's request for a postponement, the hearing scheduled for June 2, 2022 at 9:30 a.m. is rescheduled for **June 10, 2022 at 9:30 a.m. in Courtroom 17-A.**

2. The District Attorney asks that Max Kaufman be excused from the June 10 hearing because he "was not part of the decision-making process that led to the Concession." Because Mr. Kaufman submitted and signed the Notice of Concession of Penalty Relief, Notice of Proposed Order, and a Brief purporting to explain the basis for the concession, and did so acting as a Supervisor for the District Attorney's Office, he shall be present at the hearing. See Fed. R. Civ. P. 11(b)(2)-(4) (submissions to the court by an attorney certify that after reasonable inquiry the legal contentions are warranted and factual contentions have evidentiary support). Consequently, the District Attorney's Office's motion to excuse Mr. Kaufman is denied and The District Attorney's Office is directed to forward this Order to Mr. Kaufman.

BY THE COURT:

/s/ Mitchell S. Goldberg
MITCHELL S. GOLDBERG, J.